

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
No. 4:12-CV-186-D

J.O.C. FARMS, LLC,

Plaintiff,

v.

RURAL COMMUNITY INSURANCE
AGENCY, INC., d/b/a RURAL
COMMUNITY INSURANCE SERVICES;
FIREMAN'S FUND INSURANCE COMPANY;
WILLIAM J. MURPHY, Administrator;
THOMAS JAMES VILSACK, Secretary; and
THE UNITED STATES OF AMERICA
DEPARTMENT OF AGRICULTURE, RISK
MANAGEMENT AGENCY;

Defendants.

ORDER

As explained in open court and incorporated herein by reference, the court GRANTS the motion to dismiss of Rural Community Insurance Agency, Inc. and Fireman's Fund Insurance Company [D.E. 52]. See Fed. R. Civ. P. 12(b)(6). The court GRANTS in part and DENIES in part the motion to dismiss of William J. Murphy, Thomas James Vilsack, and the United States Department of Agriculture, Risk Management Agency (collectively "federal defendants") [D.E.48]. Count one against the federal defendants survives the motion to dismiss, but count two against the federal defendants fails to state a claim upon which relief can be granted and is dismissed. See Fed. R. Civ. P. 12(b)(6).

SO ORDERED. This 31 day of October 2014.


JAMES C. DEVER III
Chief United States District Judge